

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

State of Arizona, ex rel.)
Kristin K. Mayes, Attorney General, et al.,)
Plaintiffs,)
) Case No. 4:23-CV-00233-TUC-CKJ
v.)
)
Michael D. Lansky, L.L.C.,)
dba Avid Telecom, et al.,)
Defendants.)

MOTION FOR EXTENSION OF TIME

Defendants Michael D. Lansky, L.L.C., dba Avid Telecom, Michael D. Lansky, and Stacey Reeves (“Defendants”), through undersigned counsel, hereby move the Court for an extension of time to respond to file its initial expert report. In support of this motion, Defendants state as follows:

1. Defendants received Plaintiffs’ Notice of Initial Expert Testimony on or about September 2, 2025.
2. In connection with the Notice for Mr. Rudolph, Plaintiffs also produced an extremely large data file of approximately 270 GB. The size of this file has caused extreme and unexpected technical issues.
3. During the intervening period, Defendant’s document and data manager has been working diligently in an attempt to successfully download the data file, without corruption, and to intake it in a manner that allows for review and analysis. To date, those efforts have not been completely successful.

1 4. In contrast to the extremely short window available to Defendants to submit its
2 initial expert report, Plaintiffs had months and months to aggregate and prepare
3 their data sets. Defendants had no reason to believe Plaintiffs' production would
4 be so voluminous or that it would be impossible intake it into its systems in a
5 timely manner. Had Defendants known what they would be confronting, they
6 would have asked the Court from the outset for longer period to serve its initial
7 expert report.

8 5. Defendant Avid Telecom has been put out of business by this lawsuit and it is
9 illiquid. The remaining Defendants are two individuals with extremely limited
10 resources. Unlike Plaintiffs, who have substantial nationwide resources, both in
11 terms of personnel and technical assets, Defendants have no such resources. As
12 a result, the technical burdens presented by these extremely large files has had
13 an outsized impact on Defendants causing unforeseen and unavoidable delays
14 that prevent Defendants from conducting a comprehensive review in the allotted
15 time.

16 6. Defendants hoped to avoid making this request. However, it is now clear that
17 it is necessary.

18 7. The presentation of complete initial and rebuttal reports by both Plaintiffs and
19 Defendants is an important part of this proceeding. Having these reports
20 available, and presented in the normal manner, will aid in the efficiency of the
21 discovery and deposition process and clarify issues for the Court and the trier of
22 fact.

1 8. This case has been ongoing for several years. A short extension of 30 days to
2 allow Defendants the opportunity to properly review the massive data sets that
3 Plaintiffs compiled over many months will not materially prejudice either
4 party.

5 9. Good cause exists for the requested extension as it will ensure the integrity and
6 completeness of the record and that both parties stand on an equal footing.

7 10. Undersigned counsel for Defendants has conferred with counsel for Plaintiffs.
8 Plaintiffs have not offered their consent to the requested extension.

9 11. The requested extension is sought in good faith and not for purposes of delay.

10 12. No party will be prejudiced by the granting of this Motion.

11 **WHEREFORE**, Defendants respectfully request that the Court grant an extension
12 of 30 days to October 29, 2025 for the service of its initial expert report and that the date
13 for filing rebuttal reports be adjusted as the Court deems appropriate.

14
15 Dated: September 29, 2025

Respectfully submitted,

17 /s/ Greg L. Taylor

18 Greg L. Taylor, *pro hac vice*

19 Neil S. Ende, *pro hac vice*

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CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of September 2025, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing, and for transmittal of a Notice of Electronic Filing to all CM/ECF registrants.

/s/ Greg L. Taylor

Greg L. Taylor, *pro hac vice*